



Report to the Auburn City Council

Information Item

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Agenda Item No.

City Manager's Approval

To: Mayor and City Council Members
From: Mark D'Ambrogi, Fire Chief
Date: June 8, 2009
Subject: Weed abatement-Declare Public Nuisance

The Issue

Shall the City Council, by Resolution, declare Public Nuisance of certain properties within the City of Auburn identified as containing weeds, rubbish, and or debris?

Conclusion and Recommendation

Staff recommends the City Council, by resolution, declare Public Nuisance of certain properties within the City of Auburn identified as containing weeds, rubbish, and or debris, as listed in Exhibit "A".

Background

The weed abatement process requires the City Council to first declare Public Nuisance of those properties that have been identified as containing weeds, rubbish, and or debris as potential hazard to the threat of fire. Such properties as listed in Exhibit "A" have been issued written notice to destroy, remove, or render safe such hazards. This is the first step of the City Weed Abatement Process. Upon inspection, those properties that do not comply with such request will be noticed of Public Hearing at a later date to order abatement; removal of such hazard(s) by the City and be borne all costs associated with such process. Declaration of Public Nuisance is the first step in the process and must be done so to carry out the remaining steps in a timely manner.

It is fully anticipated that better than 95% of properties as listed in Exhibit "A" will comply with first request to abate such hazards. This initial step is a formality of the Weed Abatement Process.

Alternatives Available to Council; Implications of Alternatives

1. Adopt a resolution to declare Public Nuisance;
2. Take no action.

Fiscal Impact

No direct costs are identified specific to this process. Future actions incurred by the City may be recovered by payment from the property owners through the weed abatement process.

Attachment

Exhibit "A"



Mark D' Ambrogi
Fire Chief

"Exhibit A"
Weed Abatement 2009 Declaration

Street Name	Address	APN
Arroyo	1715	042-130-009-000
Auburn Folsom Road		040-360-053-000
Auburn Ravine		001-045-025-000
Auburn Ravine		001-045-026-000
Awali Street	170	004-242-004-000
Buena Vista	193	001-121-032-000
Buena Vista	193	001-121-032-000
Dairy Road		054-070-027-000
Dairy Road		054-070-027-000
Deerbooke Trail	720	042-407-032-000
Deerbooke Trail	756	042-407-025-000
Deerbooke Trail	760	042-407-024-000
Deerbooke Trail	780	042-410-085-000
Deerbooke Trail	784	042-410-084-000
Deerbooke Trail	790	042-410-083-000
Deerbooke Trail	793	042-410-078-000
Deerbooke Trail	794	042-410-082-000
Deerbooke Trail	797	042-410-079-000
Dorothy Way	659	001-012-016-000
Eagles Nest	4125	055-280-008-000
Eagles Nest	3075	055-290-004-000
Eagles Nest	3055	055-290-006-000
Elm and Landis		002-053-012-000
Epperly		001-045-025-000
Epperly		001-045-026-000
Hampton Court	217	001-053-013-000
High Street	1800	004-360-006-000
High Street	1780	004-360-005-000
High Street	1760	004-360-004-000
High Street	1740	004-360-003-000
High Street	1720	004-360-002-000
High Street	1700	004-360-001-000
High Street	1605	004-100-033-000
High Street	1585	004-100-034-000
High Street	1500	004-100-020-000
High Street	1500	004-100-020-000
Hoffman Avenue	238	002-030-002-000
Humbug	1136	040-410-012-000
Humbug	1138	040-410-013-000
Humbug	1140	040-410-014-000
Huntley Avenue	397	003-071-011-000
Incline Drive	12499	054-360-030-000
Jordan Lane		003-130-009-000
Kenmass	185	002-092-046-000
Kenmass	155	002-092-039-000
Kenmass Alley		002-092-039-000
Lakeridge Drive	604	042-407-007-000
Lakeridge Drive	605	042-403-017-000
Lakeridge Drive	613	042-403-015-000

"Exhibit A"
Weed Abatement 2009 Declaration

Lakeridge Drive	627	042-410-089-000
Lakeridge Drive	630	042-410-070-000
Lakeridge Drive	634	042-410-069-000
Lakeridge Drive	635	042-410-091-000
Lakeridge Drive	638	042-410-068-000
Lakeridge Drive	640	042-410-067-000
Lakeridge Drive	647	042-410-094-000
Lakeridge Drive	648	042-410-065-000
Landis Circle	377	002-051-007-000
Landis Circle	498	002-025-022-000
Lantern View		040-440-075-080
Lantern View		040-440-076-000
Lincoln Way	1558	002-225-020-000
Lincoln Way	995	002-190-035-000
Lincoln Way	1554	002-225-020-000
Linden Avenue	355	002-154-013-000
Live Oak	267	001-150-015-000
Lupine Lane	10114	042-407-022-000
Lupine Lane	10127	042-407-011-000
Maidu and Riverview		055-040-028-000
Maidu and Riverview		055-040-029-000
Maidu and Riverview		055-040-031-000
Marion		004-176-026-000
Miles Court	500	004-360-012-000
Miles Court	465	004-360-014-000
Miles Court	420	420-004-360-000
Miles Court	405	004-360-017-000
Miles Court		004-360-008-000
Nevada Street	142	001-143-039-000
Nevada Street	136	001-143-022-000
Nevada Street	120	001-143-013-000
Nevada Street	130	001-143-014-000
Nevada Street	116	001-143-012-000
North McDaniel	119	004-310-033-000
Olive Orchard	446	003-103-008-000
Placerado Street	190	004-091-004-000
Ridgeview Circle	1540	042-310-005-000
Ridgeview Circle	1485	042-300-005-000
Riverview	156	004-320-011-000
Riverview Drive	401	055-050-007-000
Robie Point	382	055-020-023-000
Robie Point	217	055-020-023-000
Sacramento Street	195	002-240-071-000
Sacramento Street	520	055-150-007-000
Sierra Vista	833	040-500-026-000
Skyridge	110	005-120-002-000
Sluice Box Circle		040-440-080-000
Sunnyslope Way	810	042-407-020-000
Sunnyslope Way	811	042-407-015-000
Sunnyslope Way	814	042-407-019-000
Sunrise Ridge Circle	11150	042-320-010-000

"Exhibit A"
Weed Abatement 2009 Declaration

Sunrise Ridge Circle	10760	042-380-024-000
Sunrise Vista	10206	042-407-005-000
Sunrise Vista	10210	042-407-004-000
Sunrise Vista	10214	042-407-003-000
Sunrise Vista	10218	042-407-002-000
Sunrise Vista	10223	042-401-028-000
Swenson Court	266	054-500-018-000
Vista Del Lago	1865	055-330-021-000
Vista Del Lago	1875	055-330-020-000
Vista Del Lago	1800	055-330-042-000
Vista Del Monte	1685	055-330-041-000
Vista Del Monte	1760	055-170-026-000

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2 SECTION 4. That the private property, together with the streets and
3 sidewalks in front of same herein referred to, is more particularly described as
4 follows, to-wit: Those properties described in Appendix "A" attached hereto
5 and by this reference made a part hereof as though set forth in full at this
6 point.

7
8 THEREFORE BE IT RESOLVED, pursuant to the foregoing findings of fact,
9 that the weeds or dry grass, stubble, refuse, or other flammable material in
10 and upon and in front of the real property hereinbefore described constitute
11 and are hereby declared to be a public nuisance which should be abated. The
12 Fire Chief, is hereby designated the person to give notice to destroy said weeds
13 or dry grass, stubble, refuse, or other flammable material and shall cause
14 notices to be given to each property owner by United States Mail and said
15 notice shall be substantially in the following form to-wit.

16 NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE, AND
17 DIRT

18 Notice is hereby given that on the 8th day of June 2009, the City Council
19 of the City of Auburn passed a resolution declaring that noxious or dangerous
20 weeds were growing upon or in front of the property on this street, and that
21 rubbish, refuse, and dirt were upon or in front of property on this street, in
22 Auburn are more particularly described in the resolution, and that they
23 constitute a public nuisance which must be abated by the removal of the
24 weeds, rubbish, refuse, and dirt. Otherwise they will be removed and the
25 nuisance abated by the City and the cost of removal assessed upon the land
26 from or in front of which the weeds, rubbish, refuse, and dirt are removed and
27 will constitute a lien upon such land until paid. Reference is hereby made to
28

1. the resolution for further particulars. A copy of said resolution is on file in the
2 office of the City Clerk.

3 All property owners having any objections to the proposed removal of the
4 weeds, rubbish, refuse, and dirt are hereby notified to attend a meeting of the
5 City Council of the City of Auburn to be held on July 13, 2009 at 6:00 p.m.
6 when their objections will be heard and given due consideration.

7 BE IT THEREFORE RESOLVED, that the Fire Chief is hereby authorized
8 and directed to authorize the recovery of costs of inspection of the properties
9 hereinabove described in a manner consistent with prior action of the City
10 Council. The recovery of these costs is vital to the ongoing operation
11 governing the identification and abatement of those properties that constitute
12 public nuisances and endanger the public safety.

13
14 BE IT FURTHER RESOLVED THAT the 13th day of July 2009, at the
15 hour of 6:00 p.m. in the City of Auburn, is the day and hour, and the Meeting
16 Room of the City Council at City Hall is the place when and where any and all
17 property owners having any objections to the aforesaid proposed removal of
18 weeds or dry grass, stubble, refuse, or other flammable material may appear
19 before the City Council and show cause why said weeds or dry grass, stubble,
20 refuse, or other flammable material should not be removed in accordance with
21 this resolution, and said objections will then and there be heard and given due
22 consideration; and

23
24 BE IT RESOLVED THAT the notices to destroy weeds or dry grass,
25 stubble, refuse or other flammable material hereinbefore referred to shall be
26 mailed by the City of Auburn at least ten days prior to July 13, 2009.

27 DATED: June 8, 2009
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J. M. Holmes, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City Council of the City of Auburn held on the 8th day of June 2009 by the following vote on roll call:

Ayes:

Noes:

Absent:

Joseph G. R. Labrie, City Clerk

1 ABATEMENT ORDER

2
3 _____ July 13, 2009

4
5 FOLLOWING THE PUBLIC HEARING HELD July 13, 2009 IN THE MATTER OF
6 RESOLUTION TO ABATE NOXIOUS WEEDS, RUBBISH, AND REFUSE, THE CITY
7 COUNCIL OF THE CITY OF AUBURN, BY MOTION ADOPTED AN ORDER
8 DIRECTING THE ABATEMENT OF THE NUISANCE BY HAVING THE WEEDS,
9 RUBBISH, AND REFUSE REMOVED.
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13 CITY COUNCIL OF THE
14 CITY OF AUBURN

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17 BY _____
18 J. M. Holmes, MAYOR
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20 ATTEST:

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23 BY _____
24 JOSEPH G. R. LABRIE, CITY CLERK
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1 STATE OF CALIFORNIA)
2) SS
3 CITY OF AUBURN)
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6 On or before the 13th day of July 2009, as required by the Government Code
7 of the State of California, the owners of each of the properties described in the
8 attached list were notified by United States Mail to destroy noxious or
9 dangerous weeds, of which the annexed is a true copy, and setting the 13th
10 day of July 2009 as the date upon which owners of said property could attend
11 a meeting of the Council of the City of Auburn, when their objections will be
12 heard and given due consideration.
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21 SUBSCRIBED AND SWORN TO BEFORE ME
22 This _____ day of _____, AUBURN
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City Clerk

[Appendix "A"]

[List of properties remaining unabated as of Council hearing date.]

Street Name	Address	APN
Arroyo	1715	042-130-009-000
Auburn Folsom Road		040-360-053-000
Auburn Ravine		001-045-025-000
Auburn Ravine		001-045-026-000
Awali Street	170	004-242-004-000
Buena Vista	193	001-121-032-000
Buena Vista	193	001-121-032-000
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Eagles Nest	4125	055-280-008-000
Eagles Nest	3075	055-290-004-000
Eagles Nest	3055	055-290-006-000
Elm and Landis		002-053-012-000
Epperly		001-045-025-000

1	Epperly		001-045-026-000
2	Hampton Court	217	001-053-013-000
3	High Street	1800	004-360-006-000
4	High Street	1780	004-360-005-000
5	High Street	1760	004-360-004-000
6	High Street	1740	004-360-003-000
7	High Street	1720	004-360-002-000
8	High Street	1700	004-360-001-000
9	High Street	1605	004-100-033-000
10	High Street	1585	004-100-034-000
11	High Street	1500	004-100-020-000
12	High Street	1500	004-100-020-000
13	Hoffman Avenue	238	002-030-002-000
14	Humbug	1136	040-410-012-000
15	Humbug	1138	040-410-013-000
16	Humbug	1140	040-410-014-000
17	Huntley Avenue	397	003-071-011-000
18	Incline Drive	12499	054-360-030-000
19	Jordan Lane		003-130-009-000
20	Kenmass	185	002-092-046-000
21	Kenmass	155	002-092-039-000
22	Kenmass Alley		002-092-039-000
23	Lakeridge Drive	604	042-407-007-000
24	Lakeridge Drive	605	042-403-017-000
25	Lakeridge Drive	613	042-403-015-000
26	Lakeridge Drive	627	042-410-089-000
27	Lakeridge Drive	630	042-410-070-000
28	Lakeridge Drive	634	042-410-069-000

1			042-410-091-
	Lakeridge Drive	635	000
2			042-410-068-
	Lakeridge Drive	638	000
3			042-410-067-
	Lakeridge Drive	640	000
4			042-410-094-
	Lakeridge Drive	647	000
5			042-410-065-
	Lakeridge Drive	648	000
6			002-051-007-
	Landis Circle	377	000
7			002-025-022-
	Landis Circle	498	000
8			040-440-075-
	Lantern View		080
9			040-440-076-
	Lantern View		000
10			002-225-020-
	Lincoln Way	1558	000
11			002-190-035-
	Lincoln Way	995	000
12			002-225-020-
	Lincoln Way	1554	000
13			002-154-013-
	Linden Avenue	355	000
14			001-150-015-
	Live Oak	267	000
15			042-407-022-
	Lupine Lane	10114	000
16			042-407-011-
	Lupine Lane	10127	000
17			055-040-028-
	Maidu and Riverview		000
18			055-040-029-
	Maidu and Riverview		000
19			055-040-031-
	Maidu and Riverview		000
20			004-176-026-
	Marion		000
21			004-360-012-
	Miles Court	500	000
22			004-360-014-
	Miles Court	465	000
23			420-004-360-
	Miles Court	420	000
24			004-360-017-
	Miles Court	405	000
25			004-360-008-
	Miles Court		000
26			001-143-039-
	Nevada Street	142	000
27			001-143-022-
	Nevada Street	136	000
28			001-143-013-
	Nevada Street	120	000

1			001-143-014-
	Nevada Street	130	000
2			001-143-012-
	Nevada Street	116	000
3			004-310-033-
	North McDaniel	119	000
4			003-103-008-
	Olive Orchard	446	000
5			004-091-004-
	Placerado Street	190	000
6			042-310-005-
	Ridgeview Circle	1540	000
7			042-300-005-
	Ridgeview Circle	1485	000
8			004-320-011-
	Riverview	156	000
9			055-050-007-
	Riverview Drive	401	000
10			055-020-023-
	Robie Point	382	000
11			055-020-023-
	Robie Point	217	000
12			002-240-071-
	Sacramento Street	195	000
13			055-150-007-
	Sacramento Street	520	000
14			040-500-026-
	Sierra Vista	833	000
15			005-120-002-
	Skyridge	110	000
16			040-440-080-
	Sluice Box Circle		000
17			042-407-020-
	Sunnyslope Way	810	000
18			042-407-015-
	Sunnyslope Way	811	000
19			042-407-019-
	Sunnyslope Way	814	000
20			042-320-010-
	Sunrise Ridge		000
21		11150	000
	Sunrise Ridge		042-380-024-
22		10760	000
	Circle		042-407-005-
23		10206	000
	Sunrise Vista		042-407-004-
24		10210	000
	Sunrise Vista		042-407-003-
25		10214	000
	Sunrise Vista		042-407-002-
26		10218	000
	Sunrise Vista		042-401-028-
27		10223	000
	Sunrise Vista		054-500-018-
28		266	000
	Swenson Court		055-330-021-
	Vista Del Lago	1865	000

1			055-330-020-
	Vista Del Lago	1875	000
2			055-330-042-
	Vista Del Lago	1800	000
3			055-330-041-
	Vista Del Monte	1685	000
4			055-170-026-
	Vista Del Monte	1760	000
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